REMARKS

Introduction

Claims 1 – 20 were originally pending in the present application. In response to an earlier Restriction Requirement, claims 1 – 15 were withdrawn, and claims 16 – 20 were provisionally elected for prosecution. Claim 16 has been amended herein. No new matter has been added. Accordingly, claims 16 – 20 are presently pending for consideration in this application.

Claim Rejections

35 U.S.C. § 102(e)

Claims 16 – 20 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,419,315 to Hiemstra. Claims 16 – 20 were also rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0105221 to Wolfe. A claim is said to be anticipated where each and every limitation of the claim can be found in a single reference. Applicants respectfully submit that the Hiemstra '315 patent and the Wolfe '221 application each fail to disclose or suggest the invention disclosed in the claims of the present application. Accordingly, the rejection of these claims based on 35 U.S.C. § 102(e) is respectfully traversed for the reasons set out below.

The Hiemstra '315 Patent

The Hiemstra '315 patent teaches a seat assembly 12 with a structural member 30 that is mounted to a vehicle 16 via a mounting device 14. The mounting device 14 includes a first member 22, a second member 24, a floating joint 26, and a load sensor 28. (Col. 2, ll. 20-23.) The first member 22 is operatively attached between a structural member 30 of the seat assembly 12 and the second member 24, and the second member 24 is attached to the vehicle 16. (Figs. 2 and 3). Loads

on the seat assembly 12 transfer through the first member 22 and the second member 24, and the load sensor 28 senses the load. (Col. 3, ll. 32-34.) However, the Hiemstra '315 patent fails to disclose or suggest a low profile sensor assembly with a base, an upper slide member, and at least one intermediate guide member, wherein the upper slide member and the intermediate guide member are supported for movement *toward and into the base and away from the base, and are responsive to movement of the upper surface of a lower seat cushion.*

The Wolfe '221 Application

The Wolfe '221 application teaches a vehicle seat 2 with a parallelogram linkage 50. The parallelogram linkage 50 includes a first beam 52, a second beam 62, and a sensor lever 70 with a sensor 79 interposed between the first and second beams 52, 62. (¶ 16, Figs. 1, 4, and 5). Loading of the vehicle seat 2 bends the first and second beams 52, 62 and the sensor lever 70, and the sensor 79 senses the bending of the sensor level 70 to detect the load on the vehicle seat 2. (¶ 22, Figs. 1, 4, and 5). However, the Wolfe '221 application fails to disclose or suggest a low profile sensor assembly with a base, an upper slide member, and at least one intermediate guide member, wherein the upper slide member and the intermediate guide member are supported for movement *toward and into the base and away from the base, and are responsive to movement of the upper surface of a lower seat cushion.*

The Vehicle Seat Assembly of the Present Invention

In contrast to the related art, claim 16 of the present application discloses a vehicle seat assembly having a lower seat cushion defining an upper surface and a lower surface spaced from the upper surface. The vehicle seat assembly also includes a vehicle occupant sensing system having a plurality of low profile sensor assemblies. Each of the low profile sensor assemblies are disposed below the lower seat cushion adjacent the lower surface. The low profile sensor assemblies each

include a housing having a base, an upper slide member, and at least one intermediate guide member disposed between the upper slide member and the base. The upper slide member and the intermediate guide member are supported for movement toward and into the base and away from the base, and are responsive to movement of the upper surface of the lower seat cushion toward the lower surface of the seat cushion thereby responding to the presence of an occupant in the vehicle seat. The vehicle seat assembly further includes a sensor operatively fixed relative to at least one of the upper slide member and the base and is operable to detect movement of the upper slide member toward and away from the base in response to the presence of an occupant in the vehicle seat.

Arguments

The Hiemstra '315 patent fails to disclose or suggest the invention of claim 16, as amended. Specifically, the Hiemstra '315 patent merely discloses a seat assembly 12 with a mounting device 14 having a first member 22, a second member 24, and a load sensor 28, wherein loads on the seat assembly 12 transfer through the first member 22 and the second member 24, causing the load sensor 28 to sense the load. However, the Hiemstra '315 device *lacks* a low profile sensor assembly with a base, an upper slide member, and at least one intermediate guide member, wherein the upper slide member and the intermediate guide member are supported for movement *toward and into the base and away from the base, and are responsive to movement of the upper surface of a lower seat cushion.*

Likewise, the Wolfe '221 application fails to disclose or suggest the claimed invention of claim 16, as amended. Specifically, the Wolfe '221 application merely discloses a vehicle seat 2 with a first beam 52, a second beam 62, and a sensor lever 70 with a sensor 79 interposed between the first and second beams 52, 62, wherein loading of the vehicle seat 2 bends the first and second

beams 52, 62 and the sensor lever 70. However, the Wolfe '221 device *lacks* a low profile sensor assembly with a base, an upper slide member, and at least one intermediate guide member, wherein the upper slide member and the intermediate guide member are supported for movement *toward and into the base, and are responsive to movement of the upper surface of a lower seat cushion.*

Thus, each of the references fails to disclose or suggest the invention of amended claim 16 of the present application. Claims 17 – 20 are each ultimately dependent upon claim 16 and add perfecting limitations. Therefore, Applicants respectfully submit that claims 16 – 20 are allowable over the rejections based on 35 U.S.C. § 102(e).

Conclusion

In view of the above, Applicant respectfully submits that the claims clearly distinguish over the prior art and are therefore allowable. Accordingly, Applicants respectfully solicit the allowance of the claims pending in the present application.

Respectfully submitted,

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